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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

SAVERIO CARL FALCO ET AL.

CASE NO.: BB1205 US NA

APPLICATION NO.: 09/464,528

GROUP ART UNIT: 1638

FILED: DECEMBER 15, 1999

EXAMINER: CYNTHIA E. COLLINS

FOR: S-ADENOSYL-L-METHIONINE
SYNTHETASE PROMOTER AND ITS USE
IN EXPRESSION OF TRANSGENIC
GENES IN PLANTS

RECEIVED

OCT 31 2002

STATEMENT UNDER 37 CFR 1.821 and 1.825

TECH CENTER 1600/2900

Commissioner for Patents
Washington, DC 20231

Sir:

The submission of the substitute Sequence Listing filed concurrently herewith does not include new matter.

The copy of the substitute Sequence Listing in computer readable form filed concurrently herewith is the same as the paper copy of the substitute Sequence Listing filed concurrently herewith.

Respectfully submitted,

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Dated: October 21, 2002